

"Transitional product" recommendation
Submitted to the NOSB Crops Committee
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§ 205.2 Terms defined.

Transition. The act of establishing organic management practices in accordance with the Act and the regulations in this part.

Transition period. The time between the start of organic management and certification of an operation or portion of an operation as organic.

Transitional product. A product from an operation or portion of an operation which has completed one or more years of the transition period towards becoming a certified organic operation and is certified by an accredited certifying agent as operating in accordance with the Act and the regulations in the part.

§ 205.104 Use of the term "transitional."

(a) Products of farms in transition to organic certification may be labeled or represented as "certified transitional " or "transitional" after 12 months of production using organic methods which comply with the Act and the regulations in this part.

(b) In order to market products as "certified transitional" or "transitional" an operation must maintain records as set forth in § 205.103 and develop an organic production plan as set forth in § 205.201.

(c) At least one inspection must occur prior to harvest of a transitional crop in order for the crop to be labeled or represented as "certified transitional" or "transitional".

(d) Transitional status may only be granted where the applicant can provide evidence of:

(1) At least 12 months active organic management prior to harvest; or

(2) Twelve (12) months with no application of prohibited materials prior to planting and organic management of any area of the farm that is or will be used for transitional crop production.

(e) "Transitional" and "certified transitional" products must not:

(1) Be labeled or represented as "organic" or "transition to organic";

(2) Be used as organic ingredients in the formulation of products labeled as "100% organic," "organic," or "made with organic (specified ingredients or food group(s))";

(3) Use the USDA organic seal; or

(4) Use the seal of a certifying agent, unless that seal is specifically designed for transitional products and is clearly distinguishable from the certifying agent's seal used on organic products.